MISSOULA
THE GARDEN CITY
HUB OF FIVE VALLEYS

PUBLIC WORKS DEPARTMENT

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M E M O R A N D U M

FROM: Ross Mollenhauer, PE - City of Missoula Engineering Manager

TO: Whom it May Concern

DATE: 10/24/25

SUBJECT: Staff Report for 2026 Changes to Titles 5,12,13, and 15

PURPOSE:

The purpose of this memo is to provide a high-level summary of the significant, substantive changes to City policy related to Titles 5, 12, 13 and 15. These changes are being made in conjunction with the larger Code Reform effort and creation of the City of Missoula Unified Development Code (UDC). Specifically, these changes affect the following existing Municipal Titles:

- Titles 5 – Business Licenses and Regulations
- Title 12 – Streets Sidewalks and Public Places
- Title 13 – Public Services
- Title 15 – Buildings and Construction

BACKGROUND:

In 2024, the City began the process to update the Growth Policy and reorganize the Municipal Code and Subdivision Regulations into a Unified Development Code (UDC) that will be adopted in early 2026. The UDC is intended to combine and organize all development related municipal code into a single document, within which will be various chapters covering subjects like zoning, subdivisions, and infrastructure improvement requirements. Previously the majority of these infrastructure related codes were found in places like Title 12 – Streets Sidewalks and Public Places and Title 13 – Public Services. Over the last year, PWM staff has moved all development related code from these Titles to the UDC- Chapter 6, while retaining operations and maintenance related codes in these existing Titles. The majority of this work has been simply moving identical code from one section to another but in some instances, staff has worked to update the code to better reflect the City's goals.

The following is a summary of these significant changes to help staff and elected officials keep track of the changes being made as part of this larger effort. A separate document details significant changes being made to the City of Missoula Standards and Specifications Manual at the same time as these code changes.

CONSOLIDATION AND SIMPLIFICATION:

One of the first and foremost goals with this project was to simplify and consolidate sections of code that evolved section by section over multiple decades. Whenever possible, sections of code were re-written to make them easier to read for the user, moved to make them easier to find, or eliminated entirely if they were simply outdated and no longer needed. Examples of this include removing sections of code related to telegraph wires while refining our sections of code related to

buried fiber-optic lines, removing references to drain-layers which are commonly referred to as excavators, building code related to gas which has been regulated under International Building Codes, and consolidating contractor requirements into Title 5 from Title 12.

MODIFICATIONS TO TITLES 5, 12, 13, AND 15:

The creation of the UDC necessitated substantial changes to Titles 12 and 13 and minor changes to Title 5 and 15. Title 12 – Streets Sidewalk and Public Places was particularly affected. Development related code in Title 12 was moved to UDC whereas code related to how the City manages and operates "Streets, Sidewalk, and Public Places" was left in Title 12. A similar line was drawn in Title 13 – Public Services with development related "Utility" code moved to UDC.

The bulk of these changes was simply moving existing code from one location to another or re-writing it to make the intent easier to understand, but not significantly changing the existing code. In order that the public and policy makers can better understand these many changes, the following is a summary of changes made to existing titles as part of this process.

Title 5 Changes:

- No substantive changes. Moved existing contractor bonding code from Title 12 to Title 5.

Title 12 Changes:

- 12.04 - Street Vacation – All content moved to UDC, Chapter 6.
- 12.10.130 - Postponement of Required Right-of-Way Improvements – Removed. The City has moved away from postponements in recent years and has determined that ROW improvements should either be required or not required.
- 12.14 - Right-of-Way Occupancy/Encroachment Permits – Moved all encroachment permit content to UDC, Chapter 6.
- 12.14.075 - Temporary Power Cords. New section added which regulates the use of temporary power cords for charging electric vehicles under a right-of-way occupancy permit.
- 12.17 - Parking Facilities – All content moved to UDC, Chapter 6.
- 12.18 - Sidewalk Cafés – Changed required clear space from 5' to 6'. Added Missoula Parking Commission approval for using the parking lane in their jurisdiction. Added definitions for Frontage Zone, Furniture Zone, Parking Lane, Pedestrian Zone and deleted definition for Required Pedestrian Passageway. Replaced public sidewalk with new terms for Frontage Zone, Furniture Zone, and Parking Lane.
- 12.24 - Excavations – All development content moved to UDC Chapter 6. All bonding content moved to Title 5. Repealed pavement assessments.
- 12.28.020/030/040 - Signs – removed from Title 12. Sign requirements are already covered in Zoning.
- 12.30 - Fences – All content moved to UDC Chapter 6.
- 12.32 - Comprehensive Tree and Shrub Planting, Pruning And Maintenance Regulations – All development content moved to UDC. Updated decision authority to reside with Urban Forester.
- 12.36 - Poles and Wires – All content updated and moved to UDC.
- 12.48 - Boulevards – All development content moved to UDC.

Title 13 Changes:

- 13.02.145/150 - Latecomer's fee for privately financed public utility system improvements – All content updated and moved to UDC.
- 13.04.150 – Added a requirement to properly abandon sewer services. This brings it into alignment with language for water service abandonments.
- 13.16 Drain Layers – Repealed.
- 13.24 Gas – Repealed. Added regulatory authority to Title 15. Moved bonding content to Title 5.
- 13.27 Stormwater Management – Moved permitting requirements to UDC. Deleted plan requirements that are contained in the Manual.
- 13.27.020 - Added "state waters" to Purpose and Intent. Added definition of Stormwater Permit.
- 13.30.100 – Clarified definition of "Point of Delivery" to include both corporation stop and saddle.

Title 15 Changes:

- No substantive changes. 12.52 - Street Numbers – moved from Title 12 to Title 15